

WASTE 2 RESOURCES ADVISORY COMMITTEE

** MEETING SUMMARY **

March 19, 2013, 9:30 a.m.

John Sherman, Acting Committee Chair, called the meeting to order at 9:35 a.m. and introductions were made. He asked for a motion to approve the January 15, 2013 meeting notes. There was a motion to adopt them. The motion was seconded and the notes were approved.

Legislative Update - Laurie Davies

Contact: 360-407-6103, Laurie.Davies@ecy.wa.gov

Last week was the cutoff from the House of Origin. Laurie talked about SB 5296, the MTCA bill, which could come back in some form tied to the budget. It would substantially change how MTCA funds are invested and prohibits use of Toxics funds on compost facilities. The latest version still has PPG stricken from it. Jan Gee asked if Laurie thinks the oil industry is behind the proposed bill. Laurie said that's a possibility.

Regarding HB 1309, the litter tax revenue bill, Jan Gee said it passed out of the House. She thanked the group for their support.

Jan has been talking to Senator Pearson and may have come to an agreement. There is a suggestion to designate some funds for park cleanup, which have been cut in the past.

Laurie also talked about:

- SB 5658, the mercury lights bill that would result in a producer fee-funded, state-operated recycling reimbursement program for residential mercury-containing lights. Ecology is opposing it.
- HB 1364, the bill on small rechargeable batteries that would improve the financial sustainability of the existing battery recycling program. Ecology is taking a neutral position.
- HB 1948, the bill streamlining some of Ecology's statutes. The bill is dead for now.

The Economic Forecast is due tomorrow. The budget shortfall is expected to increase to about \$1.3 billion.

Regarding the MTCA bill, Sego Jackson asked about elimination of PPG funding. Laurie said it will be hard to get it back in. The environmental community will need to fight for it.

Sego said the \$140 million cap for the ELSA Account sunsets in 2023. He asked if there are projections the group could see. Laurie said earlier projections showed ten years out. She can send that to the group.

Suellen Mele explained the two types of PPG grants – one for public participation in cleanup activities, and the other to implement waste reduction and recycling priorities. She will continue to work on getting support for PPG to remain in the MTCA Account.

Changes at EPA Region 10 – Christina Colt

As a result of reorganization last summer, Christina Colt is Region 10's Prevention and Materials Management Unit Supervisor in Air, Waste & Toxics. Kate Kelly is the new Director of the Office of Ecosystems, Tribal and Public Affairs. She served three terms as a State Senator in Idaho with a focus on energy. Before that, she was an administrator at the Idaho Department of Environmental Quality, and served as a deputy in the Idaho Attorney General's Office. Dennis McLerran is still the Regional Administrator.

Christina talked about sequestration, and how there will be potentially 13 furlough days from mid-April to mid-June. There is a proposed five percent budget decrease across every category. There are 50 vacancies out of 600 FTEs at Region 10.

They are still reviewing P² grants and will award them if they get a budget. March 27 is the last day of the continuing resolution.

Program Activities Prioritization Process – Next Steps

Contact: 360-407-3103; Laurie.Davies@ecy.wa.gov

Janine reviewed the “parking lot” issues and our proposed ranking with the group. Laurie Davies said that we'll use the results from the original exercise to help with program planning. Suellen Mele asked if we should assume the solid waste laws update will continue. Laurie Davies said it needs more discussion.

Cal Palmer wanted to know if the parking lot issues might drop off the list. Janine clarified that these items are the ones that need more discussion.

John Sherman asked if there are substantive issues we didn't talk about that should be added to the list.

Suellen Mele noted that for four items that ranked high (Product Specific Programs, C&D, Financing and 30% Taxed Items) there was not full agreement. They would benefit from discussion. The proviso makes the Financing activity contentious. Laurie Davies said we should keep Financing, because MTCA discussions have been around how to fund solid waste.

Brad Lovaas asked if C&D includes transporter laws. The answer was yes.

Sego Jackson wondered if there should be small, targeted conversation about the 1-800-Recycle Hotline reboot. Jan Gee said she likes the idea. The hotline is important and it used to be fully

staffed. There is a constituent desire to use it – it serves a purpose to divert waste. Also, she doesn't think C&D should be funded.

Troy Lautenbach said that WSRA has experienced an increase in calls since the hotline's staffing was reduced.

Laurie Davies said that we'll prepare papers on issues, goals, and roles on Product Specific Programs, C&D, Financing, 30% Taxed Items and the 1-800-Recycle Hotline to bring back to the committee. We'll do papers on Product Specific Programs and C&D first for May; and then Financing, 30% Taxed Items, and the Hotline later.

Rules Updates – Kyle Dorsey, Kara Steward
Contact: 360-407-6559, kyle.dorsey@ecv.wa.gov ; 360-407-6250

Compost Rule

Laurie Davies said the public review process is complete. The major remaining issues are managing odors, managing capacity, and contaminants (inerts).

Regarding capacity (throughput and offsite) we've stepped away to managing more on an environmental impact basis. Facility plans must address finished and incoming material.

Materials must be managed to not have odors. We've had odor studies underway. The settlement of Cedar Grove's air violation includes doing a study. The studies on emissions from large regional facilities are complete. We will likely not need further studies. There is no emission standard in the rule.

Sego Jackson asked why WSDOT can't deal with the plastics issue through their own specifications. Laurie said they're trying to. We want local government to do better with dealing with contaminants that go into food collection.

Mercury Lights Rule

Kara Steward said that Ecolights, the contractor for the Mercury lights stewardship program, is determining funding. The kickoff for the collection service will be this summer. Two hundred entities are interested in being collectors. Regarding the NEMA lawsuit, the hearing is on May 10.

Jan asked how the lawsuit factors in. Laurie Davies described that NEMA disagrees with the fully fund mandate in the law. Unless NEMA asks for an injunction, nothing stands in the way of implementation. Legislation would stop the program collection based on local run facilities and then reimbursement would come from manufacturers, not to exceed \$15,000.

Suellen Mele asked if collectors have signed on yet. We have a good handle on interested collectors, but no one under contract yet.

Art Starry wanted clarification if the cost is \$1 million to \$1.5 million. It's about 1.2 million.

Regarding the Product Care contract for collectors, Sego Jackson said Snohomish County signed up as an interested party. This should be updated. Pat Campbell also had issues with the contract.

Suellen Mele asked about the cost of the program. Are we having Ecolights take another look at the costs? Kara said yes. She thinks Product Care underestimated the lights available.

Agenda Items for Future Meetings

- Issue Papers on Product Specific Programs and C&D, May
- Scrap Metal Buyers & Need for NPDES Permits, TBD
- Presentation on Public Participation Grants - Jason Alberich, TBD

Meeting adjourned at 11:37 a.m.

Submitted by: Susanne McLemore